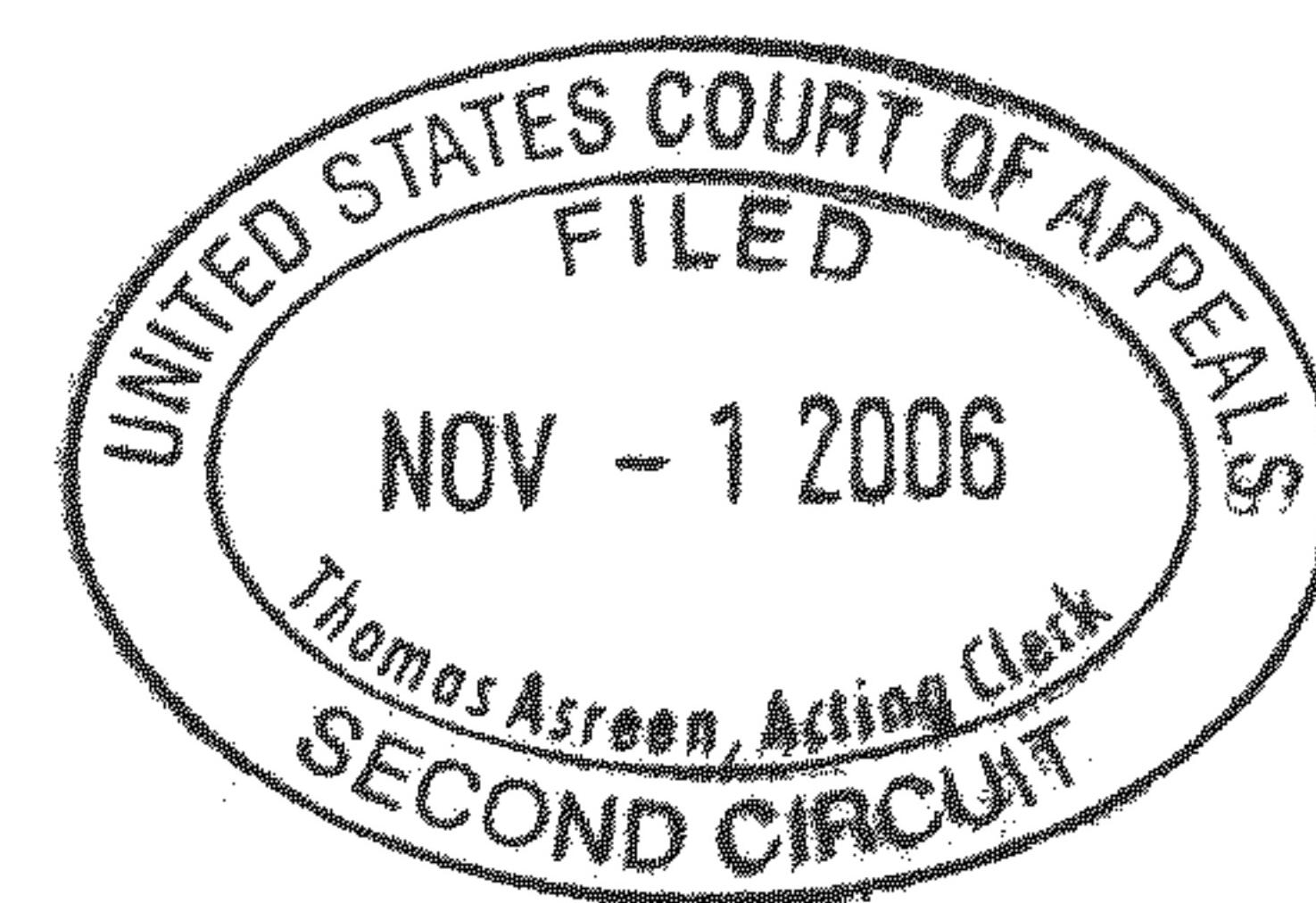


# MANDATE

## United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse at 500 Pearl Street in the City of New York, on the 1<sup>st</sup> day of November two thousand and six,

**PRESENT:** Honorable Joseph M. McLaughlin,  
Honorable José A. Cabranes,  
*Circuit Judges;*  
Honorable John Gleeson\*,  
*District Judge.*



AMERICAN CIVIL LIBERTIES UNION, CENTER FOR CONSTITUTIONAL RIGHTS, PHYSICIANS FOR HUMAN RIGHTS, VETERANS FOR COMMON SENSE, and VETERANS FOR PEACE,

*Plaintiffs-Appellants,*

v.

Docket No. : 06-0205-cv

CENTRAL INTELLIGENCE AGENCY,  
*Defendant-Appellee.*

IT IS HEREBY ORDERED THAT the mandate is recalled and, upon its recall, this Court's September 22, 2006 order shall be amended by agreement of the parties to read as follows:

- (1) the record of the appeal shall be amended to include the text of the September 6, 2006 remarks of President George W. Bush (Declaration of Peter M. Skinner, September 18, 2006, Exhibit A);
- (2) the portions of the District Court's judgment that were the subject of this appeal are **VACATED**, and the case is **REMANDED** to the District Court for such further proceedings as may be appropriate in the circumstances.

\*The Honorable John Gleeson of the United States District Court for the Eastern District of New York, sitting by designation.

ISSUED AS MANDATE:

January 9, 2007

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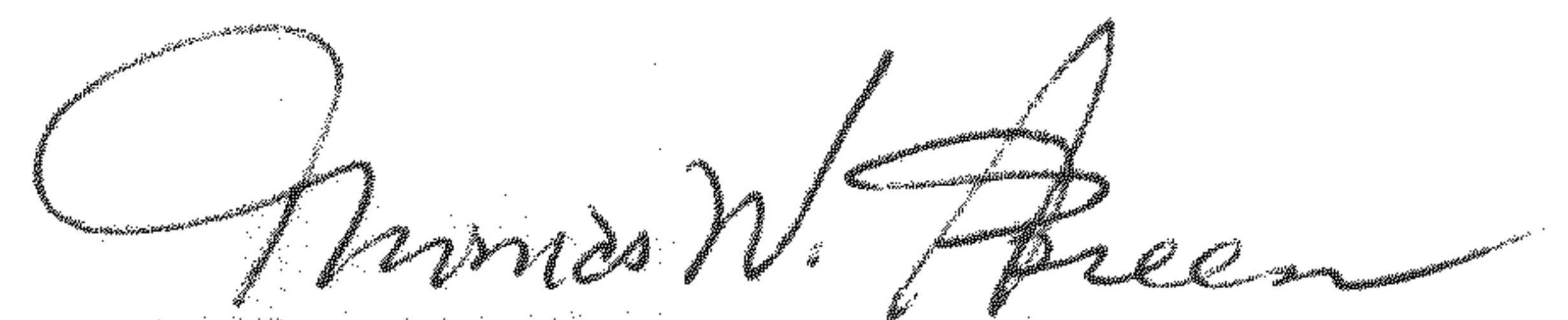
In the interests of judicial economy and expeditious resolution of the parties' claims, the Clerk of this Court shall refer any appeal from the District Court's further orders or judgments in this case to this panel. *See United States v. Jacobson*, 15 F.3d 19, 21-22 (1994).

FOR THE COURT:

Thomas Asreen, Acting Clerk

by Joseph M. Rodriguez  
Deputy Clerk

FOR THE COURT:



THOMAS W. ASREEN  
ACTING CLERK OF COURT